

Appl. No. 09/684,599
Supp. Amdt. dated March 2, 2006

PATENT

REMARKS/ARGUMENTS

I. Status of the Claims

Claims 19-46 are pending.

II. The Present Amendment

No new matter has been added by the present amendments.

The independent claims have been amended to recite that the proteins and peptides are recombinant. Recombinant proteins and peptides of the invention are supported throughout the specification, including page 13, lines 11-17.

III. The Telephone Interview

On February 28, the Examiner and the undersigned counsel for the Applicant had a telephone interview regarding the status of the application. The Examiner indicated that there were only two remaining issues in the case: (1) whether the Chang reference showed an "isolated" protein as defined in the specification and (2) the percent identity recitations. With respect to the term "isolated", counsel disagreed with the Examiner's interpretation, but agreed to expedite prosecution by reciting that the proteins and peptides were recombinant. The Examiner agreed that adding the term "recombinant" would address her concerns that the Chang reference showed an "isolated" protein. Accordingly, this amendment adds the recitation "recombinant." In a voice mail left after the phone discussion, the Examiner requested a discussion of whether the claimed proteins and peptides were obvious over Chang. Applicants respectfully call the Examiner's attention to the discussion in the specification at page 8, line 30, to page 9, line 3. Applicants respectfully submit that the cited passage indicates that it was not routine to clone the antigen and that the invention as claimed is unobvious over Chang.

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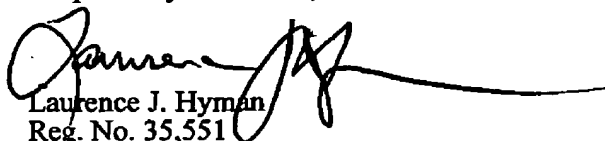
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CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,


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